

House Foreign Affairs Committee
Tom Lantos Human Rights Commission

Hearing
on
SAFEGUARDING THE PEOPLE OF NAGORNO-KARABAKH

John M. Evans, Former U.S. Ambassador to Armenia

TO CO-CHAIR JAMES P. MCGOVERN (MA)
FOR THE RECORD

QUESTION 1: Do you support the use of international accountability mechanisms, including the International Criminal Court, to pursue those responsible for war crimes, possible crimes against humanity and gross human rights violations committed in the ongoing conflict in Nagorno-Karabakh?

RESPONSE: Yes, I do support the application of international accountability mechanisms, unless the pursuit of a durable and just peace requires otherwise.

QUESTION 2: Self-determination is a core principle of international law. Chapter 1, Article 1, part 2 states that purpose of the UN Charter is: "To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace." It would appear from the hearing testimonies that all witnesses embrace the principle of self-determination for the people of Nagorno-Karabakh. Do you believe the U.S. should embrace this principle more clearly or more explicitly in its foreign policy today?

RESPONSE: Yes, I do believe the principle of self-determination of peoples ought to be taken into account in U.S. foreign policy in the twenty-first century; however, it must always be applied in conjunction with other principles of international law, and with due respect for the specific context. In the case of Nagorno-Karabakh, one should heed the words of Alfred de Zayas, who has written "[T]he implementation of self-determination is not exclusively within the domestic jurisdiction of the State concerned, but is a legitimate concern of the international community." The OSCE's approach via the Minsk Group is evidence of that concern.